

(2022) 04 RAJ CK 0009

In the Rajasthan High Court

Case No : S.B. Criminal Appeal (Interim Bail) No. 291 Of 2022

Praveen

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 01-04-2022

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 14A(2)

Indian Penal Code, 1860 — Section 302

Citation : (2022) 04 RAJ CK 0009

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Vikas Bijarnia, Mukhtiyar Khan, Dr.Sachin Acharya, Rahul Rajpurohit

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

The present criminal appeal (interim bail) under Section 14- A(2) of the Scheduled Caste/Scheduled Tribe (Prevention of Atrocities), Act has been filed by the appellant on the ground of marriage of his nieces, namely, Monika and Sonu, which is going to be solemnized on 15.04.2022.

Learned counsel for the appellant submits that the marriage function of the appellant's nieces is scheduled to be taken place from 09.04.2022 to 16.04.2022 and the appellant is the only maternal uncle of his nieces and his presence is very much essential in the mayra ceremony. In these circumstances, the appellant may be granted interim bail for a period of 7 days.

Learned Public Prosecutor has verified the fact of marriage of appellant's nieces. However, learned Public Prosecutor and Dr.Sachin Acharya, learned Senior Advocate appearing for C.B.I. have opposed the prayer of the appellant since allegation against the present appellant and other accused are for offence under Section 302 of IPC.

I have heard learned counsel for the appellant as well as learned Public Prosecutor and learned counsel for the complainant. Perused the material available on record.

Taking into consideration the fact that the appellant is the only maternal uncle of his nieces and his presence is essential in the mayra ceremony, I deem it just and proper to release the appellant on interim bail for a period from 10.04.2022 to 16.04.2022.

Accordingly, the present criminal appeal (interim bail) is allowed and it is directed that the appellant Praveen S/o Baksha Ram shall be released on interim bail for a period from 10.04.2022 to 16.04.2022 in F.IR No.168/2015, P.S. Merta City, Nagaur provided he furnishes a personal bond in a sum of Rs.2,00,000/- with two sound and solvent sureties in the sum of Rs.1,00,000/- each to the satisfaction of learned trial court for his surrender on 16.04.2022.

Let this criminal appeal be listed on 22.04.2022, on which date, learned Public Prosecutor shall be required to submit the compliance of the order whether appellant has been surrendered or not.